

## Remarks

Reconsideration of the present application, as amended, is respectfully requested.

Claims 1–11, 13–22, and 24–36 are pending in this application. Claims 1, 4, 6, 9, 10, 17, and 21 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,937,561 which issued August 30, 2005 to F.M. Chiussi *et al.* (herein after “Chiussi”) in view of U.S. Patent Publication No. 2002/0057699 which was published May 16, 2002 with L.G. Roberts, inventor (herein after “Roberts”). Claims 5, 7, 8, and 20 were rejected under 35 U.S.C. §103(a) as being obvious over Chiussi in view of Roberts as applied to claims above, and further in view of U.S. Patent No. 7,092,397 which issued August 15, 2006 to K. Chandran *et al.* (herein after “Chandran”). Claims 32-36 were rejected under 35 U.S.C. §103(a) as being obvious over Chandran in view of U.S. Patent Publication No. 2003/0058889 which published March 27, 2003 with S. Lansing *et al.*, inventors (herein after “Lansing”). Claims 2, 3, 18, and 19 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 11, 13-16, 22, 24, 25, and 27-31 were allowed. Claim 26 should also be allowable accordingly.

Independent claims 1 and 17 have been amended to include the limitations of respective claims 2 and 18, which have been canceled. Claims 3 and 19 have been amended to change their dependencies to amended claims 1 and 17 respectively. Dependent claims 20-21, dependent upon claim 17, should now also be allowable.

The applicants disagree with the rejection of claims 32-36 and address their arguments with respect to the rejection of independent claim 32. Independent claim 32 calls for:

32. A device for forwarding packets to a central access point, the device comprising:

a receiving component, the receiving component being arranged to receive a plurality of packets that are to be forwarded to a central access point by a DOCSIS protocol;

a plurality of service flow identifiers which are associated with a plurality of service flows of said DOCSIS protocol; and

a routing component, the routing component being arranged to receive the plurality of packets from the receiving component; the routing component further being arranged to provide a plurality of packets to the plurality of service flow identifiers of said DOCSIS protocol on a substantially round-robin basis.

In rejecting the claim, the combination of the Chandran and Lansing references were cited. The applicants do not understand how these two references can be combined to render claim 32 obvious. As the applicants understand, the Chandran reference is cited to provide all of the teaching of claim 32, except for providing “a plurality of packets to the plurality of service flow identifiers of said DOCSIS protocol on a substantially round-robin basis.” The Lansing reference purportedly teaches this round-robin basis. However, the cited portion of the Lansing reference has nothing to do with service flows, rather teaches a technique for sharing a bus in a MAC (media access controller) device. “The DS UBUS 305 is a shared resource. Some system of allocating usage of the DS UBUS 305 among the various system components is necessary to prevent any one of the system components from being starved out....” Paragraph [0047]. “The arbitration for UBUS requestor 313 is provided with an arbitration scheme for allocating bus usage among the competing system components...A further example of an arbitration scheme is a ‘round-robin’ scheme....” Paragraph [0048].

Even through the MAC in the Lansing reference is described as being in both the CM (cable modem) and the cable modem termination system (CMTS) (Paragraph [0044]) of a cable modem system, the applicants did not find a description of the round-robin allocation system applied to service flows between the CM and the CMTS and request that the Examiner specifically identify such a description. In other words, in the applicants' reading of the references there is no hint nor suggestion that a round-robin should be used for routing packets to service flows. Hence claim 32 is not obvious over the combination of the Chandran and Lansing references and should be allowed.

Claims 33-36 should also be allowed for at least being dependent upon an allowable base claim.

Therefore, in view of the amendments above and the remarks directed thereto, the applicants respectfully requests that all rejections be removed, that claims 1, 3–11, 13–17, 19–22, and 24–36 be allowed, and the case be passed to issue. If a telephone call would expedite the prosecution of this case, the Examiner is asked to telephone the undersigned..

Respectfully submitted,  
Aka Chan LLP

/Gary T. Aka/

Gary T. Aka  
Reg. No. 29,038

Aka Chan LLP  
900 Lafayette Street, Suite 710  
Santa Clara, CA 95050  
Tel: (408) 868-4088  
Fax: (408) 608-1599  
E-mail: [gary@akachanlaw.com](mailto:gary@akachanlaw.com)